

IN THE CLAIMS

Please amend the claims as follows:

1-33. (Canceled)

34. (Previously Presented) A sound generation device comprising:

an audio source to generate an audio signal;

a frequency modulation (FM) radio frequency (RF) transmitter, coupled to the audio source, to transmit an FM carrier signal modulated with the audio signal, the FM carrier signal having a specific carrier frequency within the range of 87.7 to 107.9 megahertz that does not interfere with transmission frequencies in a commercial FM broadcast band of 87.7 to 107.9 megahertz in a geographical region in which the sound generation device is currently located;

a channel locator controller to identify an available non-interfering carrier frequency, wherein the channel locator controller includes

an RF receiver, coupled to the RF transmitter, to receive FM signals having different carrier frequencies; and

a channel locator circuit, coupled to the RF receiver, to identify two or more bands of FM carrier frequencies below a minimum signal strength;

wherein the channel locator controller is configured to identify an available non-interfering carrier frequency from an evaluation of the two or more bands of FM carrier frequencies; and

an out-of-band transmitter to transmit a channel selection signal comprising the available non-interfering carrier frequency.

35. (Previously Presented) The sound generation device recited in claim 34, wherein the sound generation device further comprises:

a channel selection circuit, coupled to the RF transmitter, to select the available carrier frequency on which to transmit the FM carrier signal.

36. (Previously Presented) The sound generation device recited in claim 34, wherein the sound generation device comprises one of an MP3 (Motion Picture Experts Group, Audio Layer 3) player, a compact disk player, a mini-disk player, a micro-disk player, a digital music player, a digital video disk player, a cassette tape player, a radio, a cellular phone, a handheld computer, a portable computer, a television, a video player, a personal digital assistant, an electronic musical instrument, an electronic toy, and a wireless microphone.

37-40. (Canceled)

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41. (Currently Amended) A portable electronic device comprising:
- a geoposition source;
 - an audio source coupled with the geoposition source to generate an audio signal;
 - a frequency modulation (FM) radio frequency (RF) transmitter, coupled to the audio source, to transmit an FM carrier signal modulated with the audio signal; and
 - a channel locator controller to identify an available non-interfering carrier frequency for the FM carrier signal having a specific carrier frequency within the range of 87.7 to 107.9 megahertz that does not interfere with transmission frequencies in a commercial FM broadcast band of 87.7 to 107.9 megahertz in a geographical region in which the portable electronic device is currently located;
- wherein the channel locator controller includes a stored program digital computer, the computer to store a database of two or more available non-interfering carrier frequencies arranged by geolocation;
 - wherein the geolocation source is coupled to the stored program digital computer to provide a geolocation to the stored program digital computer; [[and]]
 - wherein the channel locator controller is configured to identify a selected non-interfering carrier frequency from two or more available non-interfering frequencies stored in the database based on an evaluation of the two or more available non-interfering frequencies; and
 - an out-of-band transmitter to transmit a channel selection signal comprising the selected non-interfering carrier frequency.

42-44 (Canceled)

45. (Previously Presented) The device recited in claim 41, wherein the audio source comprises prerecorded audio source material.
46. (Previously Presented) The device recited in claim 41, wherein the audio source comprises a digital music player.

47. (Previously Presented) The sound generation device recited in claim 34, wherein the channel locator controller identifies the available non-interfering carrier frequency by selecting a center frequency of a first band of FM carrier frequencies having at least a predetermined frequency width.

48. (Previously Presented) The sound generation device recited in claim 34, wherein the channel locator controller identifies the available non-interfering carrier frequency by selecting a center frequency of a widest identified band.